

Message Text

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ACTION L-03

INFO OCT-01 ARA-14 ISO-00 OES-07 DLOS-09 EB-07 INT-05

AGRE-00 /046 W

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P 222100Z JUN 77

FM AMEMBASSY CARACAS

TO SECSTATE WASHDC PRIORITY 8158

UNCLAS CARACAS 6320

E.O. 11652: N/A

TAGS: EFIS, PFOR, VE

SUBJECT: NEGOTIATION OF GOVERNING INTERNATIONAL FISHERIES

AGREEMENT: USG-GOV

1. EMBASSY HAS DELIVERED COPY OF GIFA TO GOV FOREIGN MINISTRY, AND FISHERIES OFFICE, A DEPENDENT AGENCY OF THE MINISTRY OF AGRICULTURE.

2. IN RESPONSE, EMBOFF WAS CALLED 21 JUNE TO A MEETING IN WHICH EACH OF THE ABOVE GOV AGENCIES WAS REPRESENTED BY THREE RANKING OFFICIALS.

3. GOV OFFICIALS REQUESTED ASSISTANCE IN CLARIFICATION OF SEVERAL ECTIONS OF GIFA. THEY ASKED THAT CLARIFYING INFORMATION BE MADE AVAILABLE TO THEM BY 23 JUNE. EMBOFF STATED THAT AS THIS AGREEMENT IS LEGAL AND TECHNICAL IN NATURE, IT WAS UNLIKELY THAT RESPONSE WOULD BE AVAILABLE IN LESS THAN SEVEN TO TEN DAYS. AT THIS POINT, AN OFFICIAL OF THE FOREIGN MINISTRY INTERJECTED THAT SUCH A DELAY WOULD CREATE A PROBLEM SINCE PRESIDENT PEREZ WILL HAVE ALREADY LEFT ON HIS OFFICIAL VISIT TO THE U.S. THIS WAS THE FIRST SUGGESTION EMBASSY HAS HAD THAT GOV OFFICIALS PLANNED TO EXECUTE GIFA DURING PEREZ VISIT.

4. EMBASSY REQUESTS THAT DEPARTMENT ATTEMPT TO REPLY TO FOLLOW-UNCLASSIFIED

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ING POINTS OF GIFA ON WHICH GOV NEEDS CLARIFICATION.

A. ARTICLE VIII, PARAGRAPH THREE SEEMS TO ANTICIPATE, AND, IN SOME RESPECTS, TO DUPLICATE THE CONTENTS OF ARTICLE IX. THE GOV WISHES TO KNOW WHY REDUNDANCY CANNOT BE ELIMINATED.

B. ARTICLE VIII, PARAGRAPH FOUR FAILS TO SPECIFY THE NATURE OF "AGENTS" TO BE APPOINTED AND MAINTAINED BY THE GOV. MAY THESE BE CONSULAR OFFICIALS? MAY THEY BE U.S. CITIZENS

WITH POWER OF ATTORNEY? HOW MANY SUCH AGENTS NEED THERE BE?
WHERE SHOULD THEY BE LOCATED?

C. ARTICLE X DEALS WITH THE QUESTION OF LEGAL JURISDICTION OVER VENEZUELAN VESSELS, OWNERS, OR OPERATORS. FONMIN OFFICIALS WISH TO KNOW WHETHER AND/OR HOW JURISDICTION OVER SUCH ISSUES WILL BE MODIFIED UPON THE ENTRY INTO FORCE OF A LAW OF THE SEA, OF WHICH SOME PROVISIONS COULD BE IN CONFLICT WITH GIFA.

D. ARTICLE XI. THE GOV HAS ASKED FOR CLARIFICATION OF WHAT MEANS OF COMMUNICATION WOULD BE USED TO ACCOMPLISH THE OBJECTIVES OF PARAS ONE AND TWO. I.E. WOULD THESE MATTERS BE TREATED BY THE DELEGATES TO MULTILATERAL ORGANIZATIONS SUCH AS CECAR (NOW EOCARRIB?), OR ON A DIRECT BILATERAL BASIS, BETWEEN RESPONSIBLE AUTHORITIES OF, FOR EXAMPLE, THE U.S. DEPARTMENT OF STATE AND THE GOV FOREIGN MINISTRY.

E. ARTICLE XII. WHAT TYPES OF GOVERNMENTAL AGENCIES MIGHT BE DESIGNATED AS RESPONSIBLE FOR CARRYING OUT THE CONSULTATIONS REFERRED TO? TECHNICAL? DIPLOMATIC? BOTH?

F. ARTICLE XIV. EMBOFF WAS ASKED TO CLARIFY THE INTENT OF THIS ARTICLE. INTERPRETATION OFFERED AS A LAYMAN WAS TO THE EFFECT THAT ARTICLE XIV EXCLUDES ALL QUESTIONS AND MATTERS OTHER THAN THOSE SPECIFICALLY HAVING TO DO WITH FISHERIES
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ADMINISTRATION AND CONSERVATION FROM THE EFFECT AND PURVIEW OF THE GIFA. DEPARTMENT PLEASE CONFIRM OR CORRECT THIS INTERPRETATION OF INTENT. SUBSEQUENTLY, EMBOFF WAS ASKED WHAT IMPLICATIONS SOME FUTURE LOS WOULD HAVE FOR GIFA. EMBOFF REPLIED THAT GIFA THEORETICALLY WOULD HAVE TO BE RENEGOTIATED TO CONFORM TO PROVISIONS OF LOS TO WHICH USG AND GOV MIGHT SUBSCRIBE.

5. ACTION REQUESTED: DEPARTMENT PLEASE RESPOND TO GOV'S REQUEST FOR CLARIFICATION OF POINTS RAISED ABOVE ASAP.
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Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment:
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Disposition Event:
Disposition History: n/a
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